

**PATENT**

Att'y Docket No. ROC920030367US1 (IBM/289)

Confirmation No. 6194**CERTIFICATE OF ELECTRONIC TRANSMISSION**

I hereby certify that this correspondence for Application No. 10/758,484 is being electronically transmitted to Technology Center 2186, via EFS-WEB, on May 15, 2006.

/Douglas A. Scholer/  
Douglas A. Scholer, Reg. No. 52,197

May 15, 2006  
Date

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Kevin Curtis Griffin et al. Art Unit: 2186  
Application No.: 10/758,484 Examiner: Jonathan A. Barton  
Filed : January 15, 2004  
For : ASYNCHRONOUS HYBRID MIRRORING SYSTEM

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

1. ☒ **Transmitted herewith is an Amendment After Non-Final Office Action.**
2. ☐ Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
- ☐ Enclosed is a verified statement to establish Small Entity status
- ☒ **Other than a Small Entity**

**3. The fee has been calculated as shown below:****CALCULATION OF FEES**

Fee:	Number of Claims After Amendment:		Previously Paid For:	No. Extra:	At Rate:	Amount:
Total Claims	35	minus	35	0	\$50	\$0.00
Independent Claims	6	minus	6	0	\$200	\$0.00
MULTIPLE DEPENDENT CLAIM FEE					\$360	\$0.00
TOTAL FEE FOR CLAIMS:						\$0.00

- ☒ **No additional fee for claims is required.**

4. ☐ Attached is a check in the sum of \$\_\_\_\_\_ for additional claims.  
☐ Please charge my Deposit Account No. 23-3000 in the amount of \$\_\_\_\_\_.

5. **The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply. Complete (a) or (b) as applicable.**

- ☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

	<u>Ext. Mos.</u>	<u>Large entity</u>	<u>Small entity</u>
<input type="checkbox"/>	one month	\$ 120.00	\$ 60.00
<input type="checkbox"/>	two months	\$ 450.00	\$ 225.00
<input type="checkbox"/>	three months	\$1,020.00	\$ 510.00
<input type="checkbox"/>	four months	\$1,590.00	\$ 795.00
<input type="checkbox"/>	five months	\$2,160.00	\$1,080.00

Extension fee due with this request: \$\_\_\_\_\_

Method of Payment: Check enclosed in the amount of \$\_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid thereof of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$\_\_\_\_\_.

**OR**

- ☒ (b) **Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition for extension of time.**

6. ☒ **If any additional fee for claims or extension of time is required, charge Account No. 23-3000.**

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By: /Douglas A. Scholer/  
Douglas A. Scholer  
Reg. No. 52,197

2700 Carew Tower  
441 Vine Street  
Cincinnati, Ohio 45202-2917  
Telephone: (513) 241-2324  
Facsimile: (513) 241-6234

**Enclosed:**

Transmittal containing Certificate of Electronic Transmission (2 pages)  
Amendment After Non-Final Office Action (8 pages)  
Rule 1.131 Declaration for Kevin Curtis Griffin with Exhibit A (7 total pages)  
Rule 1.131 Declaration for Scott Dennis Helt with Exhibit A (7 total pages)  
Rule 1.131 Declaration for Michael James McDermott with Exhibit A (7 total pages)  
Rule 1.131 Declaration for Glen W. Nelson with Exhibit A (7 total pages)  
Rule 1.131 Declaration for Mark Philip Piazza with Exhibit A (7 total pages)